

**REMARKS****INTRODUCTION:**

In accordance with the foregoing, claim 3 has been canceled without prejudice or disclaimer, and claims 1, 4, 7, 8, 9, and 10 have been amended. No new matter is being presented, and approval and entry are respectfully requested.

Claims 1 and 4-34 are pending and under consideration. Reconsideration is respectfully requested.

**REJECTION UNDER 35 U.S.C. §102:**

In the Office Action, at pages 2-5, claims 1, 3, 7 and 9 were rejected under 35 U.S.C. §102(b) as being anticipated by Kiely (USPN 6,151,344; hereafter, Kiely). This rejection is traversed and reconsideration is requested.

Independent claim 1 has been amended to add the features of claim 3. Claim 3 has been canceled without prejudice or disclaimer.

Independent claims 7 and 9 have been amended in similar fashion to amended claim 1.

Hence, amended independent claim 1, and amended claims 7 and 9 in similar fashion, utilize an output voltage which is an effective output voltage within a predetermined range to generate an error voltage. It is respectfully submitted that Kiely does not teach or suggest utilizing an output voltage which is an effective output voltage within a predetermined range to generate an error voltage. That is, Kiely does not disclose an output voltage having the above limitation recited in amended independent claim 1, and similarly in amended independent claims 7 and 9, of the present invention.

Kiely instead teaches, as recited in the Abstract of Kiely, recited below for the convenience of the Examiner, achieving automatic power control of a semiconductor laser by monitoring the spontaneous lateral emissions from the semiconductor laser and adjusting the drive signal to the laser based on the detected emissions:

Automatic power control of a semiconductor laser (12, 72) is achieved by monitoring the spontaneous lateral emissions from the semiconductor laser and adjusting the drive signal to the laser based on the detected emissions. A lateral detector (13, 73) generates a photocurrent from the spontaneous emissions. The detector signal (I<sub>lat</sub>) is compared to a reference signal (I<sub>ref</sub>) and the difference is applied to the drive signal (I<sub>as</sub>) to alter or control the laser output. The magnitudes of the reference signal source and the drive signal source are determined and set based on the desired optical output power of the semiconductor laser measured at a series of temperatures. (emphasis added)

Also, amended independent claim 1, and amended independent claims 7 and 9 in similar fashion, disclose that a compensated control voltage applied to the laser diode is an effective control voltage within a predetermined range.

Thus, it is respectfully submitted that amended independent claims 1, 7 and 9 are not anticipated under 35 U.S.C. §102(b) by Kiely (USPN 6,151,344).

**REJECTION UNDER 35 U.S.C. §103:**

In the Office Action, at pages 5-6, claims 4, 8, and 10 were rejected under 35 U.S.C. §103(a) as being unpatentable over Kiely et al. (USPN 6,151,344; hereafter, Kiely) in view of Woodley (US 2003/0179787 A1; hereafter, Woodley). The reasons for the rejection are set forth in the Office Action and therefore not repeated. The rejection is traversed and reconsideration is requested.

Claim 4 has been amended to recite, in part: "performing proportional-integral processing on the error voltage generate a compensated control voltage and generating an effective control voltage within a predetermined range using the compensated control voltage."

Claims 8, 9 and 10 have been amended in accordance with the amendment to claim 4.

Hence, amended claims 4, 8, 9, and 10 are different from Kiely (see discuss of Kiely above).

It is respectfully submitted that the amendments of independent claims 4, 8, 9 and 10 show more clearly differences between the present invention and the cited references Kiely and Woodley.

The Examiner submits that Woodley teaches providing the Kiely device with an analog to digital converter and digital to analog converter. However, such an addition to the Kiely device does not cure the deficiencies in Kiely as recited above. Thus, even if combined Kiely and Woodley do not teach or suggest amended claims 4, 8, 9 and 10 of the present invention.

Thus, it is respectfully submitted that amended claims 4, 8, and 9 (and 10 which depends from amended independent claim 9) are patentable over Kiely et al. (USPN 6,151,344) in view of Woodley (US 2003/0179787 A1).

**ALLOWABLE SUBJECT MATTER:**

In the Office Action, at page 7, claims 5, 6, 11-17 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In view of the above arguments and amendments, it is respectfully submitted that all claims of the present invention are now in allowable form.

Claims 18-34 were allowed.

Applicant thanks the Examiner for her careful review and allowance of claims 18-34.

**CONCLUSION:**

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot, and further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited by the Examiner contacting the undersigned attorney for a telephone interview to discuss resolution of such issues.

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: November 8, 2007 By: Darleen J. Stockley  
Darleen J. Stockley  
Registration No. 34,257

1201 New York Avenue, N.W.  
Suite 700  
Washington, D.C. 20005  
Telephone: (202) 434-1500  
Facsimile: (202) 434-1501